

Serial No.: 09/246,409

Attorney Docket No. 1999P07454US

REMARKS

Upon entry of the instant amendment, Claims 1-20 are pending. Claims 1, 2, 9, and 10 have been amended to more particularly point out Applicants' invention.

Claim 8 was objected to for being indicated to have been "Currently Amended." The indication has been changed to "Original." Thus, the objection is obviated.

Claims 1 and 9 have been rejected under 35 U.S.C. §102(e) as being anticipated by Kennedy, U.S. Patent No. 6,330,589 ("Kennedy"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Kennedy. As described in the Specification, one aspect of the present invention relates to handling of threaded messages. As used in the context of embodiments of the present invention, messages may be "threaded" when forwarded with attached materials, i.e., when a portion of a previous message is included within a succeeding message. For example, a voice message or e-mail message may be forwarded (or replied-to) with additional comments. Thus, a first message is contained within the second message. Thus, claim 1 recites "wherein a threaded message *includes* at least a portion of another message;" and claim 9 recites "wherein at least a portion of said one or more first messages is *included* within said one or more second messages."

Furthermore, to prevent redundant playback or display of threaded-in messages, embodiments of the present invention allow accessing of messages that form part of the thread when a message containing the thread is accessed. Thus, claim 1 has been amended to recite "a controller for identifying which of said one or more messages are threaded within said others and accessing said some threaded within messages when said others are accessed;" and claim 9 has been amended to recite

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"accessing said one or more first messages responsive to accessing said one or more second messages."

In contrast, Kennedy does not appear to relate to accessing threaded messages as generally recited in the claims at issue. While Kennedy uses the term "threaded," the "threading" of Kennedy is not analogous to the "threading" of the present invention. More specifically, Kennedy provides for maintaining a database of messages related to a parent, and organizing how they are related. Thus, a message C may be a reply to a message B, which is a reply to a message A. Kennedy does not, however, address whether messages C or B *contain* all or part of message A; or whether message C contains all or part of B.

That is, as described in response to the previous Official Action, and as explicitly recited in the claims at issue, threading occurs when one message in a chain is contained within or embedded in another. This can lead to sorting and redundancy problems solved by embodiments of the present invention. In contrast, "threading" as used in Kennedy *refers to the chain itself* and is not concerned with the embedding.

Furthermore, Applicants respectfully submit that Kennedy does not relate to accessing a message contained in another message, as generally recited in the claims at issue. For example, if a message A contains messages B and C, then accessing A will access B and C. In contrast, while Kennedy provides a message tree, accessing one message in the tree does not appear to have any effect on accessing a related branch message. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

Claims 2 and 10 have been rejected under 35 U.S.C. §103 (a) as being unpatentable over Kennedy. Applicants respectfully submit that the claimed invention that is not taught, suggested or implied by the cited art, either singly or in combination. These claims recite "said identifying including indicating that a message threaded within another message has been accessed when only said another message in which said message has been threaded has been accessed." Thus, to use the example of

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message A containing B and C, when message A is accessed, the system will indicate that B and C have likewise been accessed, since they are threaded within message A. In contrast, as noted above, Kennedy does not appear to address handling of messages threaded within other messages. Further, in Kennedy, even if a "root" is accessed, the "branches" do not appear to be either accessed themselves or indicated to be accessed, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims.

Claims 3-7, 11-15, and 17-20 have been rejected under 35 U.S.C. §103 as being unpatentable over Kennedy in view of Hicks, U.S. Patent No. 6,304,573 B1 ("Hicks"). Applicants respectfully submit that there are elements of the claimed invention that are not taught, suggested or implied by Kennedy or Hicks, either singly or in combination. Kennedy has been discussed above. Hicks relates merely to storing voice messages. Thus, like Kennedy, Hicks also fails to teach, suggest or imply threading or identifying threading or accessing threaded messages as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

Claims 8 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Lytle, et al., U.S. Patent No. 6,549,950 ("Lytle"). Applicants respectfully submit that there are elements of the claimed invention that are not taught, suggested or implied by Kennedy or Lytle, either singly or in combination. Lytle is relied on for allegedly teaching an e-mail reply to an original e-mail message. Assuming this is true, Lytle, appears to be representative of the problem solved by the present invention and, like Kennedy does not appear to relate to handling or identifying threaded messages as generally recited in the claims. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

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For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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